

ORDINANCE NO. 2010-19

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING THE SEDONA CITY CODE BY DELETING EXISTING ARTICLE 9-3 (REMOVAL OF LITTER) AND REPLACING IT WITH NEW ARTICLE 9-3 (ABATEMENT OF RUBBISH AND DILAPIDATED STRUCTURES); PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES OR ANY PART OF THE SEDONA CITY CODE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE SHALL BE REPEALED UPON THE EFFECTIVE DATE OF THIS ORDINANCE; AND DESCRIBING PENALTIES THERETO

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA, AS FOLLOWS:

Section 1. Adoption by Reference

The proposed new Article 9-3 (Abatement of Rubbish and Dilapidated Structures) of the Sedona City Code, relating to the removal and abatement of rubbish, weeds, trash, debris, and dilapidated structures from property, and providing for assessment liens and criminal penalties for dumping, as set forth in that edited document entitled "*Article 9-3 (Abatement of Rubbish and Dilapidated Structures) of the Sedona City Code*", established as a public record by Resolution No. 2010-34, is hereby referred to, adopted, and made a part hereof, as if fully set forth in this Ordinance, and serve to amend the Sedona City Code in accordance with the provisions thereof.

Section 2. Repeal

All ordinances or parts of ordinances or any part of the Sedona City Code in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict as of the effective date hereof. Existing Article 9-3 is deleted in its entirety.

Section 3. Savings Clause

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof would be declared invalid or unconstitutional.

Section 4. Penalty

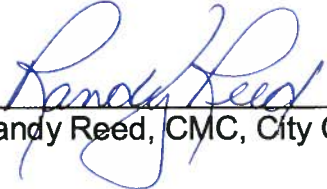
Any person violating any provision of this Article 9-3 shall be guilty of a Class 1 Misdemeanor, and may be fined an amount up to \$2500, or imprisoned for a period up to 6 months, or both, pursuant to ARS 13-603, 13-707, and 13-802. In the alternative, an action may be commenced as a civil violation pursuant to Article 1-8.D (as amended) of the Sedona City Code.

PASSED AND ADOPTED by the Mayor and City Council of the City of Sedona, Arizona
this 14th day of December, 2010.



Rob Adams, Mayor

ATTEST:



Randy Reed, CMC, City Clerk

APPROVED AS TO FORM:



Mike Goimarac, City Attorney